

Minutes of the Transportation Committee

The Transportation Committee of the McLean County Board met on Tuesday, March 6, 2007 at 8:00 a.m. in Room 404, Government Center, 115 East Washington Street, Bloomington, Illinois.

Members Present: Chairman Bass, Members Hoselton, Baggett, Dean, Cavallini and Caisley

Members Absent: None

Other Members Present: None

Staff Members Present: Ms. Christine Northcutt, Recording Secretary, Mr. Terry Lindberg, Assistant County Administrator

Department Heads Present: Mr. Jack Mitchell, County Engineer

Others Present: Mr. Eric Schmitt, Assistant County Engineer; Ms. Christine Brauer, Member, Regional Planning Commission; Ms. Jennifer Sicks, Transportation Planner, Regional Planning Commission

Chairman Bass called the meeting to order at 8:04 a.m. He stated that the first item for action is approval of the minutes from the February 6, 2007 meeting.

Motion by Dean/Cavallini to recommend approval of the minutes from the February 6, 2007 meeting of the Transportation Committee. Motion carried.

Chairman Bass asked the Committee to review the bills from February, 2007. He advised that Mr. Jack Mitchell, County Engineer, would address any questions that the Committee may have.

Mr. Dean asked Mr. Mitchell if the Highway Department used a substantial amount of overtime due to the major snowstorms this year. Mr. Mitchell responded that they have already used nearly all of the overtime that is budgeted for this fiscal year. Mr. Dean asked if there will be a need for overtime throughout the summer. Mr. Mitchell responded that there may be a need for additional overtime this summer because of a widening project that is scheduled. Mr. Baggett asked if the overtime line-item account is depleted, what funds will be used to cover future expenditures. Mr. Mitchell responded that he has not had a chance to study the budget as of yet. He noted that he will study the budget more closely and inform the Committee of any proposed transfers.

Motion by Hoselton/Cavallini to recommend payment of the February, 2007 bills as submitted by the County Auditor. Motion carried.

Chairman Bass informed the Committee that the next three items are Audit Reports and can be taken together. The Illinois Department of Transportation (IDOT) audits are as follows:

1. Audit Report #53 - Motor Fuel Tax, County Road Districts for January 1, 2005 through January 31, 2005.
2. Audit Report #72 - Motor Fuel Tax, McLean County from January 1, 2005 through January 31, 2005.
3. Audit Report #53 - Township Bridge, County Road Districts from January 1, 2005 through January 31, 2005.

Mr. Mitchell informed the Committee that the State of Illinois' Motor Fuel Tax (MFT) Auditor audits these three accounts each year. This is the 2005 Fiscal Year Audit. Mr. Mitchell explained that the State's Auditor sometimes gets behind, as is the case with these audits. Mr. Mitchell informed the Committee that he would recommend that all three of these audits be placed on file as presented.

Motion by Dean/Caisley to place the following Audit Reports on file with the County Board:

1. Audit Report #53 - Motor Fuel Tax, County Road Districts for January 1, 2005 through January 31, 2005.
2. Audit Report #72 - Motor Fuel Tax, McLean County from January 1, 2005 through January 31, 2005.
3. Audit Report #53 - Township Bridge, County Road Districts from January 1, 2005 through January 31, 2005.

Motion carried.

Mr. Mitchell stated that the next item for the Committee's consideration is a Resolution and Letting Results from a February 14, 2007 letting for County and Township 2007 MFT Maintenance Sections. Mr. Mitchell informed the Committee that the State of Illinois established a program called "Responsible Bidding." This program requires that all bidders be pre-qualified. In addition, when a bidder is awarded a job, they are required to have their employees in a training and apprenticeship program. Mr. Mitchell advised that this is a push to make all bidders become union. There are companies that are putting their own training programs in place, or are joining the American Builders and Contractors (ABC) which is a non-union group. Mr. Mitchell advised the Committee that Steffans was the low bidder for seven projects on this letting, and those bids were protested. The Highway Department has not received the official ruling from the State on that protest yet. Mr. Mitchell stated that he expects all of this to be resolved before the County Board meets in March.

Mr. Hoselton asked how much will it cost if the Highway Department has to take the second bidder for these projects. Mr. Mitchell responded that it will be approximately \$4,800.00 more than it would have been with Steffans. If the Highway Department would have to award to the second bidder, Beniach would be awarded six additional projects and Rowe one. Mr. Mitchell suggested that the Committee recommend award of these projects to Benicach, Rowe, Emulsicoat and Steffans subject to response from the State. If the State rejects Steffans as a responsible bidder, the Highway Department will submit a substitute Resolution to the County Board with the second bidders being awarded these projects. That item can be considered at a Stand-up Committee Meeting. If there is no answer from the State by the County Board Meeting, this item will be pulled from the agenda.

Chairman Bass asked if all of the "Responsible Bidders" were required to pay union scale. Mr. Mitchell responded that all bidders are required to pay the current prevailing wage.

Mr. Caisley asked what would happen if the Committee recommended approval of these bids as is without regard to the State's protest procedure. Mr. Mitchell responded that the Townships would not be able to pay for their work out of the MFT Fund.

Motion by Caisley/Baggett to recommend approval of a Resolution and Letting Results from a February 14, 2007 County and Township Letting for 2007 MFT Maintenance Sections for the following companies: Beniach, Rowe and Emulsicoat. Motion carried.

Motion by Baggett/Caisley to recommend approval of a Resolution and Letting Results from a February 14, 2007 County and Township Letting for 2007 MFT Maintenance Sections for Steffans pending State of Illinois approval. Motion carried.

Mr. Mitchell stated that the next item is a Resolution and Letting Results from a February 27, 2007 letting for County MFT and County and Township Non-MFT maintenance sections. Mr. Mitchell stated that he would recommend approval of the award of the following bids:

1. Osburn Associates was the low bidder for signage.
2. Sherwin Industries was the low bidder for crack sealer.
3. For Non-MFT hot-mix asphalt, Group 9, the Highway Department will accept both Rowe and McLean County Asphalt subject to mileage and availability.
4. For Non-MFT hot-mix asphalt, Group 10, McLean County Asphalt was the low bidder.
5. For Non-MFT hot-mix asphalt, the SM Section, Rowe was the low bidder.
6. The last project is work to be done for Phase II of the Horizon Wind Farm. This will be primarily done on Arrowsmith Road. Opperman was the low bidder for the project.

Mr. Mitchell informed the Committee that the County is only paying a portion of the work on the Arrowsmith Road due to the previous Road Maintenance Agreement between Horizon and McLean County. Mr. Mitchell stated that he would recommend award of all of the aforementioned bids.

Motion by Cavallini/Baggett to recommend approval of a Resolution and Letting Results from a February 27, 2007 letting for County MFT and County and Township Non-MFT Maintenance Sections. Motion carried.

Mr. Mitchell stated that the next item is a Road Use Agreement between Invenergy, White Oak Energy, LLC Wind Farm and McLean County. The Highway Department in conjunction with Mr. Brian Hug, Assistant State's Attorney, worked on Road Use Agreement. This agreement is very similar to the Road Use Agreement that was negotiated and approved between Horizon Wind Energy and McLean County. Mr. Mitchell stated that the roads that are being proposed to be improved as a part of this process are:

1. County Highway 12 from Woodford County Line to County Highway 39.
2. Hudson-Carlock Road from County Highway 39 to 0.65 miles east of CH 39.
3. Ropp Road (County Highway 39) from 1800 North Road to .25 miles north of 2300 North.

Mr. Cavallini stated that he understood that Invenergy had agreed to reduce the number of wind turbines from the 139 to 100. He asked if this will affect the Road Use Agreement. Mr. Mitchell responded that if Invenergy withdraws turbines, causing sections of County Roads to be added or withdrawn, the County will amend "Exhibit B" of the Agreement. "Exhibit B" lists the roads which are to be upgraded.

Mr. Mitchell stated that the Agreement provides that the County receives \$50,000.00 per year for up to five years to handle permit and inspection fees. That is identical to the previous Road Use Agreement. Mr. Caisley asked if Invenergy has reached an agreement with the Townships regarding their roads. Mr. Mitchell responded that the two parties have reached a verbal agreement, but they have not signed an agreement yet.

Mr. Hoselton asked if approving this agreement would be putting the "cart before the horse". He noted that the Special Use Permit has not been passed by the County Board. Mr. Mitchell responded that the Road Use Agreement and the Special Use Permit for this proposed Wind Farm are both scheduled to go before the County Board in March. One of the contingencies of the Special Use Permit is that there is a Road Use Agreement in place between Invenergy and the Townships and Invenergy and the County.

Mr. Hoselton asked if this Road Use Agreement is identical to the Road Use Agreement that was signed between the County and Horizon Wind Energy.

Mr. Mitchell responded that there are minor changes in the language due to the fact that the Horizon Wind Energy project called for a two phase development, whereas the Invenergy project will only be a one phase project. The specific roads to be upgraded are different. Mr. Eric Schmitt, Assistant County Engineer, added that there was one change which doesn't affect the County. The Horizon Agreement contained a "power purchase agreement." Invenergy omitted that from their contract. Simply put, Invenergy does not have to sell their power to move forward with this project.

Mr. Cavallini asked if Invenergy will be providing the County Board with an updated map showing only 100 turbine sites rather than the 139 first proposed. Mr. Mitchell stated that he would assume that an updated map would be provided when the Special Use is considered at this month's County Board Meeting.

Chairman Bass asked if there were any further questions. Hearing none, he asked for a motion.

Motion by Baggett/Dean to recommend approval of a Road Use Agreement between McLean County and Invenergy, White Oak Energy, LLC. Motion carried.

Mr. Mitchell stated that the last item for action is a State of Illinois Disaster Assistance Application. He informed the Committee that there was a large ice and snow storm at the beginning of December. The Federal Emergency Management Association (FEMA) contacted the Highway Department to inquire how much money was spent during that storm. Those numbers were compiled and sent to FEMA. A few weeks later, the Illinois Emergency Management Agency (IEMA) contacted the Highway Department and informed them that they were having a meeting to discuss reimbursement of storm expenditures. The grand total of expenditures which will be reimbursed is \$96,920.85. In order to receive these funds, the County must pass a Disaster Assistance Application and have it signed by the County Board Chairman.

Mr. Hoselton asked if there are any other County Departments that are taking advantage of this program. Mr. Lindberg responded that Facilities Management, the Sheriff's Department, and the Emergency Management Agency did look into the process but, did not qualify for the disaster relief.

Motion by Hoselton/Cavallini to recommend approval of a State of Illinois Disaster Assistance Application. Motion carried.

Chairman Bass asked Mr. Mitchell to present the project summary to the Committee.

Mr. Mitchell informed the Committee of the progress on the following projects:

- The Kath Bridge on the Danvers-Carlock Road - The sections are set, the concrete is poured and the backfills have been installed. This project has been weathered out.
- The Peacock Bridge on the Stanford-McLean Road - This project is complete. Final payment has not been made. The project ran slightly over budget due to some foundation problems.
- The Fairfield Culvert on the Holder Road - Construction is complete. Final payment has been made. This project ran approximately \$7,000.00 over budget due to extra tile and dirt work.
- Old 150-White Oak Road - Construction is complete. Final paperwork has not been completed.
- Stanford-McLean Road - Construction is complete. Final paperwork has not been completed. This project ran approximately \$9,000.00 under budget.

Mr. Mitchell stated that the East Side Highway report is located in the Committee's packet on pages 51-66. The first Public Information Meetings on this project was held on March 5th from 1:00 p.m. to 4:00 p.m. and from 5:30 p.m. to 8:30 p.m. Mr. Mitchell noted that there were approximately 100 - 150 people in attendance including staff and consultants at each session. The consultant explained the project and the *Context Sensitive Solutions* (CSS) process. Now according to State Law, the CSS process must be used when developing this type of highway. The groups then broke into five different sections: Agricultural, Home-Owners, Developers, Businesses, and Environmental. There were approximately 10 - 20 people in each of these groups. All of the comments made in each of those sessions will be summarized and placed on the website.

Mr. Hoselton informed the Committee that he had to miss the first Public Information Meeting due to a health issue. He apologized to the Committee.

Chairman Bass asked if there were any other questions or comments. Hearing none, he adjourned the meeting at 9:12 a.m.

Respectfully submitted,

Christine Northcutt
Recording Secretary